

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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No.: **ICC-01/04-01/07**
Date: **17 October 2011**

TRIAL CHAMBER II

Before: Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Christine Van den Wyngaert

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
THE PROSECUTOR
*v. GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI***

**Public Document
with Confidential Annexes A and B**

**Prosecution's Communication of Pre-Inspection Report for Material Provided to the
Defence under Rule 77 on 14 October 2011**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

**Counsel for the Defence of Germain
Katanga**

Mr David Hooper
Mr Andreas O'Shea

**Counsel for the Defence of Mathieu
Ngudjolo Chui**

Mr Jean-Pierre Kilenda Kakengi Basila
Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of Victims

Mr Fidel Nsita Luvengika
Mr Jean-Louis Gilissen

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

The Office of Public Counsel for Victims

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Office of the Prosecutor ("Prosecution") herewith submits the pre-inspection report regarding the provision of three documents pursuant to Rule 77 of the Rules of Procedure and Evidence to the Defence teams of Mathieu Ngudjolo Chui and Germain Katanga on 14 October 2011.
2. The Prosecution disclosed three documents: a publicly available press article (DRC-OTP-1063-0040)¹, a map of Bunia city (DRC-OTP-1063-0044)² and a document which was re-disclosed in a better legible format (DRC-OTP-0029-0337)³.

Request for Confidentiality

3. Annexes A⁴ and B⁵ appended to this communication contain the "List of Disclosed Material" provided to each Defence team. The Prosecution requests that these annexes be received as "Confidential" since they relate to *inter partes* disclosure.



Luis Moreno-Ocampo, Prosecutor

Dated this 17th day of October 2011

At The Hague, The Netherlands

¹ This article entitled "War Has a Baby Face in the Congo" is publicly available at <http://www.iol.co.za/news/africa/war-has-a-baby-face-in-the-congo-1.109493> and was disclosed to the Defence by e-mail on 13 October 2011.

² This map was disclosed to the Defence by e-mail on 12 October 2011.

³ This document was disclosed in Pre-Trial Rule 77 Package 22 on 19 November 2008. As the document was not very legible, it was re-scanned.

⁴ List of Disclosed Material provided to the Defence of Germain Katanga on 14 October 2011.

⁵ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 14 October 2011.